

D) 41. The apparatus of Claim 40, said cutting die support cylinder having a circumferential stop and an axial stop, said cutting die having an edge abutting said circumferential stop and a centering guide receiving said axial stop.

REMARKS

Upon entry of the present amendments, original Claims 22 - 32 have been canceled and new Claims 33 - 41 substituted therefor. Reconsideration of the rejections, in light of the foregoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of more clearly distinguishing the present invention from the prior art.

In the Official Action, it was indicated that Claims 22, 24 - 25, 27, 29 - 30 and 32 were rejected under 35 U.S.C. § 102(b) as anticipated by the Herd patent. Claim 23 was rejected under 35 U.S.C. § 103(a) as being obvious over the Herd patent in view of the Smith patent. Claims 26 and 28 were rejected under 35 U.S.C. § 103(a) as being obvious over the Herd patent in view of the Smith patent. Claim 31 was rejected under 35 U.S.C. § 103(a) as being obvious over the Herd patent.

As an overview to the present reply, Applicant has extensively amended the language of the previous independent Claim 22 so as to incorporate the limitations of Claim 23. Also, portions of Claim 26 have been incorporated into new independent Claim 33. Importantly, Applicant notes Examiner's comment that the sentence "a working device...moving...a retracted position to an extended position" is considered an intended use. Applicant has clarified this by reciting "working means" in the proper means-plus-function approach. In particular, it is indicated that this working means is operatively connected to the bolt "for moving said bolt from a retracted position to an extended position...through one of the plurality of holes in the cutting die...". On this basis,

Applicant respectfully contends that independent Claim 23 is not anticipated by the prior art Herd patent.

Applicant respectfully disagrees with the Examiner's analysis regarding the similarities between the present invention and the prior art Herd patent. With respect to function, Applicant herein repeats its earlier arguments associated with Amendment "B" incorporated herein by reference. In particular, as can be seen in FIGURE 3 of the Herd patent, the Herd patent utilizes a cutting die in the form of a knife having an edge extending outwardly of the cylindrical surface of the cutting die support cylinder. This knife is resiliently mounted by having an edge abutting the surface associated with the hydraulic cylinder 38. The "bolt 46" of the Herd patent is simply a set screw which is designed to set the distance in which the knife 20 extends outwardly of the cylindrical outer surface of the cutting die support cylinder. This is evidenced by the relationship between the tapered edges associated with wedge piece 43 and spacer 45. No matter how much force is applied by the pneumatic hydraulic cylinder 38 of the Herd patent, it is not possible to cause the bolt 46 to extend outwardly of the cylindrical outer surface.

Relative to the Examiner's anticipation analysis, Applicant respectfully contends that the item marked with "41" cannot be considered a "spring". Item 41 is clearly identified as a "shim" which fits between the knife 45 and the top surface of the hydraulic cylinder 38. Since the shim 41 is fixed against the end of the wedge piece 43, it cannot act as a "spring" for the purpose of urging either the bolt 46 or the knife 20 outwardly of the exterior surface of the cutting die support cylinder.

In an effort to further and more clearly distinguish the present invention from the prior art Herd patent, it is specifically indicated in independent Claim 33 that the cutting die support cylinder has "a cylindrical surface" and that the cutting die has a "curved inner surface conforming to the

cylindrical outer surface of the cutting die support cylinder. There is absolutely nothing in the Herd patent that would suggest such a limitation. The cutting die in the Herd patent is simply a planar knife which extends transversely outwardly of the supporting cylinder. Additionally, to further distinguish the present invention from the prior art Herd patent, it is indicated that the cutting die has "a plurality of holes formed therein so as to extend from the curved inner surface to an exterior surface of said cutting die". There is no indication in the Herd patent that the cutting die has holes formed therein. There is certainly no "curved inner surface" of the cutting die 20. Applicant has further distinguished the present invention from the prior art Herd patent by indicating that the bolt has a shank and a head in which the head has a greater cross-sectional area than the shank. This serves to distinguish the present invention from the set screw 46 used in the Herd patent. This limitation was found in original Claim 23.

Additionally, and furthermore, Applicant has identified the "working means" which is suitable for moving the head of the bolt outwardly of the cutting die support cylinder through one of said plurality of holes of said cutting die when in said extended position. It is also indicated that the head of the bolt is "secured to said cutting die when in said extended position". The bolt 46 of the Herd patent does not extend through any holes in the cutting die and is not used to secure the cutting die when in an extended position.

Applicant notes that the Smith patent does show a plate with "quincuxes" formed therein. However, the bolts are fixedly secured to the supporting devices and do not operate in the manner of the present invention. Applicant finds it extremely difficult to understand how the teachings of the Smith patent can, in any way, be combined with the Herd patent so as to show the operative effect of the present invention.

Functionally, the Herd patent describes a knife for cross-cutting or cross-perforating a continuous web. The present invention is a system for fixing rotary cutting dies to machines for die cutting laminar material. On this basis, Applicant respectfully contends that the present invention is functionally different than that of the prior art Herd patent. The present invention does not use "blade-like knives". The present invention utilizes resilient bolts for securing the curved cutting die to the cylindrical outer surface of the support cylinder. The present invention achieves the advantage of allowing for the easy mounting of the cutting die on the support cylinder and the easy removal of such cutting die. There is nothing in that Herd patent, alone, or in combination with the Smith patent, which would suggest such a feature. On this basis, Applicant respectfully contends that the present invention is different from the combination of the Herd and Smith patents in structure, function and in results achieved.

Applicant has revised the previous dependent claims in the form of new Claims 34 - 41. In particular, Claims 34 - 36 correspond to original Claims 24 - 26. Claims 37 - 41 correspond to original Claims 27 - 31. So as to avoid confusion, Applicant has canceled previous Claim 32. Previous Claim 23 has been canceled since the limitations are incorporated into independent Claim 33.

Based upon the foregoing analysis, Applicant contends that independent Claim 33 is now in proper condition for allowance. Additionally, those claims which are dependent upon Claim 33 should similarly be in condition for allowance. Reconsideration of the rejections and allowance of

he present claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

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